Best Available Copy	OIPE											
I hereby certify that, on the date shown below, this correspondence is being: deposited with the United States Postal Service in an envelope addressed to: BOX MISSING PARTS, ASSISTANT COMMISSIONER FOR PATENTS, WASHINGTON, D.C. 20231, under 37CFR § 1.8(a), with sufficient postage as first class mail, or under 37CFR § 1.10, as "Express Mail Post Office to Addressee" Mailing Label No. PATENT Attorney Docket No. DX0804K												
under 37CFR § 1.10, as "Express Mail Post Office to Addressee" Mailing Label No. transmitted by facsimile to the Patent and Trademark Office, Fax Number CN 028008 Attention: Examiner												
Date: July / / 2001 By: Lois E. Miller	RECEIVED											
IN THE UNITED STATES PATEN	NT AND TRADEMARK OFFICE JUL 3 1 2001											
In re application of:	Examiner: S. Wegert TECH CENTER 1600/290											
Christi L. PARHAM, et al.	Art Unit: 1647											
Serial No.: 09/265,540	COMPUTER READABLE SEQUENCE SUBMISSION											
Filed: March 8, 1999	21.1/1											
For: HUMAN RECEPTOR PROTEINS; RELATED REAGENTS AND METHODS	Palo Alto, California 94304 July, 2001											

BOX Sequence 5 **Assistant Commissioner for Patents** Washington, D.C. 20231

Sir:

10

COMPLIANCE WITH REQUIREMENTS FOR PATENT APPLICATIONS CONTAINING NUCLEOTIDE SEQUENCE AND/OR AMINO ACID SEQUENCE DISCLOSURES

In reply to receipt of a "Notice to Comply" with requirements for patent applications containing nucleotide sequence and/or amino acid sequence 15 disclosures dated May 3, 2001, (paper no.18), for the above-identified application, in accordance with 37 CFR § 1.821 - 1.825, Applicants hereby submit: (1) a writeprotected diskette containing a computer-readable submission for the "Sequence Listing"; and (2) a "Sequence Listing" paper copy of the contents of the diskette.

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REMARKS

Enclosed is a write protected floppy diskette with the sequence listing generated by the Patent Office's PATENTIN 3.1 program. The Diskette should comply with the requirements of 37 CFR §1.824 and is IBM PC compatible with a 25 PC-DOS/MS-DOS operating system. If the diskette has been damaged, please call Applicants and a replacement diskette will be provided. A hard paper copy printout of the diskette is attached thereto.

I hereby state the informational contents of the paper and computer readable copies of the Sequence Listing, submitted in accordance with 37 CFR 1.821(c) and (e), respectively, are believed to be the same. This submission introduces no new matter, since enclosed sequences are the same as sequences which were submitted in priority documents.

Applicants have invested over ten hours of significant labor and care in preparing the present submission. The enclosed items are a bona fide effort to bring the present application into full compliance with the rules for sequence submissions. Should this not be the case, Applicants respectfully request notification of specific deficiencies and an opportunity for remedy, as described in 37 CFR 1.135(c).

Applicants believe that no fees are required; however, if any fees are required by the present Response, the Commissioner is authorized to charge any fees or credit any overpayment to DNAX Research Institute Deposit Account No. 04-1239.

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15

Date: Un 2001 Respectfully submitted,

Sheela Mohan-Peterson

Attorney for Applicants

Reg. No. 41,201

25

enclosures and attachments:

request for an extension of time one write-protected diskette (CRM) paper copy of contents of diskette

30

copy of notice to comply

35

DNAX Research Institute 901 California Avenue Palo Alto, California 94304-1104

Main: Direct: (650) 852-9196

40 Fax: (650) 496-1244

(650) 496-1200

Christi L. PARHAM, et al., U.S.S.N.: 09/265,540 Filed: March 8, 1999,

page 2 of 2



UNITED STATE ATENT AND TRADEMARK OFFICE

COMMISSIONER FOR PATENTS UNITED STATES PATENT AND TRADEMARK OFFICE WASHINGTON, DC 20231 www.uspto.gov

A PPLICATION NO.1 C ONTROL NO.

FILING DATE

RIRST NAMED INVENTOR / PATENT IN REEXAMINATION

farham

ATTORNEY DOCKET NO. DXO 804K

09/265,540

EXAMINER

S.

ART UNIT PAPER 1647

18

DATE MAILED:

5-8-01

Please find below and/or attached an Office communication concerning this application or proceeding.

Commissioner of Patents

The communication filed 3/27/01 is not fully responsive to the Office communication mailed 3/07/01 for the reason(s) set forth on the attached Notice To Comply With The Sequence Rules or CRF Diskette Problem Report. Applicant must comply with the requirements of the sequence rules (37 CFR 1.821 - 1.825) before the application can be examined under 35 U.S.C. §§ 131 and 132.

Since the reply appears to be bona fide attempt to comply with the requirements of the sequence rules (37 CFR 1.821 - 1.825), applicant is given a TIME PERIOD of ONE (1) MONTH from the mailing date of this communication within which to correct the deficiency so as to comply with the sequence rules (37 CFR 1.821 - 1.825) in order to avoid ABANDONMENT of the application under 37 CFR 1.821(g). EXTENSIONS OF THIS TIME PERIOD MAY BE GRANTED UNDER 37 CFR 1.136(a).

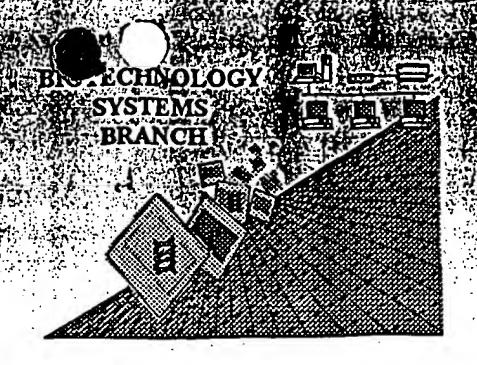
Any inquiry concerning this communication should be directed to Examiner Sandra Wegert, Art Unit 1647, whose telephone number is (703) 308-9346

Any inquiry of a general nature or relating to the status of this application should be directed to the Technology Center receptionist whose telephone number is (703) 308-0196.

PRIMARY EXAMINE

Elyabet C. Kenne

RAW SEQUENCE LISTING ERROR REPORT



The Biotechnology Systems Branch of the Scientific and Technical Information Center (STIC) detected errors when processing the following computer readable form:

Application Serial Number: 09/265,540P

Source: 1647

Date Processed by STIC: $\frac{3/27/200/}{}$

RECEIVED

APR 0 4 2001

120H 131WER 1600/29!

THE ATTACHED PRINTOUT EXPLAINS DETECTED ERRORS.

PLEASE FORWARD THIS INFORMATION TO THE APPLICANT BY EITHER:

- 1) INCLUDING A COPY OF THIS PRINTOUT IN YOUR NEXT COMMUNICATION TO THE APPLICANT, WITH A NOTICE TO COMPLY or,
- 2) TELEPHONING APPLICANT AND FAXING A COPY OF THIS PRINTOUT, WITH A NOTICE TO COMPLY

FOR CRF SUBMISSION QUESTIONS, PLEASE CONTACT MARK SPENCER, 703-308-4212.

FOR SEQUENCE RULES INTERPRETATION, PLEASE CONTACT ROBERT WAX, 703-308-4216. PATENTIN 2.1 c-mail help: patin21help@uspto.gov or phone 703-306-4119 (R. Wax) PATENTIN 3.0 c-mail help: patin3help@uspto.gov or phone 703-306-4119 (R. Wax)

TO REDUCE ERRORED SEQUENCE LISTINGS, PLEASE USE THE <u>CHECKER</u> <u>VERSION 3.0 PROGRAM</u>, ACCESSIBLE THROUGH THE U.S. PATENT AND TRADEMARK OFFICE WEBSITE. SEE BELOW:

Checker Version 3.0

The Checker Version 3.0 application is a state-of the-art Windows based software program employing a logical and intuitive user-interface to check whether a sequence listing is in compliance with format and content rules. Checker Version 3.0 works for sequence listings generated for the original version of 37 CFR §§1.821 – 1.825 effective October 1, 1990 (old rules) and the revised version (new rules) effective July 1, 1998 as well as World Intellectual Property Organization (WIPO) Standard ST.25.

Checker Version 3.0 replaces the previous DOS-based version of Checker, and is Y2K-compliant. Checker allows public users to check sequence listings in Computer Readable form (CRF) before submitting them to the United States Patent and Trademark Office (USPTO). Use of Checker prior to filing the sequence listing is expected to result in fewer errored sequence listings, thus saving time and money.

Checker Version 3.0 can be down loaded from the USPTO website at the following address:

http://www.uspto.gov/web/offices/pac/checker

703, 208



Raw Sequence Listing For Summary

ERROR DETECTED SUGGESTED CORRECTION

SERIAL NUMBER: 09 ATTN: NEW RULES CASES: PLEASE DISREGARD ENGLISH "ALPHA" HEADERS, WHICH WERE INSERTED BY PTO SOFTWARE The number/text at the end of each line "wrapped" down to the next line. Wrapped Nucleics This may occur if your file was retrieved in a word processor after creating it. Please adjust your right margin to .3, as this will prevent "wrapping". Wrapped Aminos The amino acid number/text at the end of each line "wrapped" down to the next line. This may occur if your file was retrieved in a word processor after creating it. Please adjust your right margin to .3, as this will prevent "wrapping". Incorrect Line Length The rules require that a line not exceed 72 characters in length. This includes spaces. The numbering under each 5th amino acid is misaligned. This may be caused by the use of tabs Misaligned Amino Acid between the numbering. It is recommended to delete any tabs and use spacing between the numbers. Numbering Non-ASCII This file was not saved in ASCII (DOS) text, as required by the Sequence Rules. Please ensure your subsequent submission is saved in ASCII text so that it can be processed. Variable Length Sequence(s) ____ contain n's or Xaa's which represented more than one residue. As per the rules, each n or Xaa can only represent a single residue. Please present the maximum number of each residue having variable length and indicate in the (ix) feature section that some may be missing. Patentin ver. 2.0 "bug" A "bug" in Patentin version 2.0 has caused the <220>-<223> section to be missing from amino acid __. Normally, Patentin would automatically generate this section from the previously coded nucleic acid sequence. Please manually copy the relevant <220>-<223> section to the subsequent amino acid sequence. This applies primarily to the mandatory <220>-<223> sections for Artificial or Unknown sequences. Skipped Sequences Sequence(s) ____ missing. If intentional, please use the following format for each skipped sequence: (OLD RULES) (2) INFORMATION FOR SEQ ID NO:X: (i) SEQUENCE CHARACTERISTICS: (Do not insert any headings under "SEQUENCE CHARACTERISTICS" (xi) SEQUENCE DESCRIPTION:SEQ ID NO:X: This sequence is intentionally skipped Please also adjust the "(iii) NUMBER OF SEQUENCES:" response to include the skipped sequence(s). Sequence(s) ____ missing. If intentional, please use the following format for each skipped sequence. Skipped Sequences (NEW RULES) <210> sequence id number <400> sequence id number 000 Use of n's and/or Xaa's have been detected in the Sequence Listing. Use of <220> to <223> is MANDATORY if n's or Xaa's are present. In <220> to <223> section, please explain location of n or Xaa, and which residue n or Xaa represents. 11 _____ Use of <213>Organism Sequence(s) _____ are missing this mandatory field or its response. (NEW RULES) Use of <220>Feature Sequence(s) ____ are missing the <220>Feature and associated headings. (NEW RULES) Use of <220> to <223> is MANDATORY if <213>ORGANISM is "Artificial" or "Unknown" Please explain source of genetic material in <220> to <223> section. (See "Federal Register," 6/01/98, Vol. 63, No. 104, pp. 29631-32) (Sec. 1.823 of new Rur≡ Please do not use "Copy to Disk" function of Patentln version 2.0. This causes a corrupted Palentin ver. 2.0 "bug"

Instead, please use "File Manager" or any other means to copy file to floppy disk.

file, Tesalting in missing mandatory numeric identifiers and responses (as indicated on raw sequence listing).

1647

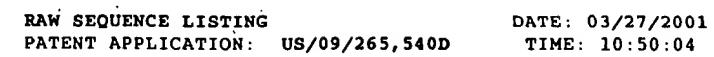
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PATENT APPLICATION: US/09/265,540D TIME: 10:50:04

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Does Not Comply
Corrected Diskette Needed

All Methods

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         Moore, Kevin W.
         Murgolo, Nicholas J.
         Bazan, J. Fernando
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10 <130> FILE REFERENCE: DX0804K
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sel , ten 10 on Ever Summary Heet

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203 225

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     307 gacattaagt ggcccttctt catatccaaa cacctggctt gaaatgtgat tagccctgta 1144
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     316 <212> TYPE: PRT
     317 <213> ORGANISM: primate
     319 <400> SEQUENCE: 4
     320 Arg Val Asp Pro Arg Val Arg Leu Val Ser Pro Trp Leu Thr Val Pro
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     323 Trp Phe Leu Ser Cys Trp Asn Val Thr Ile Gly Pro Pro Glu Ser Ile
     324
                                          25
     326 Trp Val Thr Pro Gly Glu Ala Ser Leu Ile Ile Arg Phe Ser Ser Pro
     327
                                      40
                                                         45
                                                                        see tem/o
W--> 329 Phe Asp Val Pro Pro Asn Leu Gly Tyr Phe Gln Tyr Tyr Val His (Xaa/
     330
                                  55
     332 Trp Glu Lys Ala Gly Ile Gln Lys Val Lys Gly Pro Phe Lys Ser Asn
     335 Ser Ile Val Leu Asp Gly Leu Arg Pro Leu Arg Glu Tyr Cys Leu Gln
     338 Val Lys Ala His Leu Phe Arg Thr Ser Cys Asn Thr Ser Arg Pro Gly
     341 Arg Leu Ser Asn Ile Thr Cys Tyr Glu Thr Met Met Asp Ala Thr Thr
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     344 Lys Leu Gln Gln Val Ile Leu Ile Ala Val Gly Val Phe Leu Ser Leu
     345
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VERIFICATION SUMMARY
PATENT APPLICATION: US/09/265,540D

DATE: 03/27/2001
TIME: 10:50:05

Input Set : A:\804k.app

Output Set: N:\CRF3\03272001\1265540D.raw

L:99 M:341 W: (46) "n" or "Xaa" used, for SEQ ID#:1 L:100 M:341 W: (46) "n" or "Xaa" used, for SEQ ID#:1 L:104 M:341 W: (46) "n" or "Xaa" used, for SEQ ID#:1 L:116 M:341 W: (46) "n" or "Xaa" used, for SEQ ID#:1 丘:120 M:341 W: (46) "n" or "Xaa" used, for SEQ ID#:1 L:151 M:341 W: (46) "n" or "Xaa" used, for SEQ ID#:1 L:187 M:258 W: Mandatory Feature missing, <220> not found for SEQ ID#:2 L:187 M:258 W: Mandatory Feature missing, <221> not found for SEQ ID#:2 L:187 M:258 W: Mandatory Feature missing, <222> not found for SEQ ID#:2 L:187 M:258 W: Mandatory Feature missing, <223> not found for SEQ ID#:2 L:187 M:340 W: (46) "n" or "Xaa" used: Feature required, for SEQ ID#:2 L:190 M:258 W: Mandatory Feature missing, <220> not found for SEQ ID#:2 L:190 M:258 W: Mandatory Feature missing, <221> not found for SEQ ID#:2 L:190 M:258 W: Mandatory Feature missing, <222> not found for SEQ ID#:2 L:190 M:258 W: Mandatory Feature missing, <223> not found for SEQ ID#:2 M: 340 Repeated in SeqNo=2 L:199 M:258 W: Mandatory Feature missing, <220> not found for SEQ ID#:2 L:199 M:258 W: Mandatory Feature missing, <221> not found for SEQ ID#:2 L:199 M:258 W: Mandatory Feature missing, <222> not found for SEQ ID#:2 L:199 M:258 W: Mandatory Feature missing, <223> not found for SEQ ID#:2 IL:202 M:258 W: Mandatory Feature missing, <220> not found for SEQ ID#:2 L:202 M:258 W: Mandatory Feature missing, <221> not found for SEQ ID#:2 L:202 M:258 W: Mandatory Feature missing, <222> not found for SEQ ID#:2 L:202 M:258 W: Mandatory Feature missing, <223> not found for SEQ ID#:2 L:248 M:258 W: Mandatory Feature missing, <223> not found for SEQ ID#:3 L:248 M:340 W: (46) "n" or "Xaa" used: Feature required, for SEQ ID#:3 L:329 M:258 W: Mandatory Feature missing, <220> not found for SEQ ID#:4 L:329 M:258 W: Mandatory Feature missing, <221> not found for SEQ ID#:4 IL: 329 M: 258 W: Mandatory Feature missing, <222> not found for SEQ ID#:4 L:329 M:258 W: Mandatory Feature missing, <223> not found for SEQ ID#:4 L:329 M:340 W: (46) "n" or "Xaa" used: Feature required, for SEQ ID#:4